

**TESTIMONY OF WILLIAM D. DURAND
EXECUTIVE VICE PRESIDENT & CHIEF LEGAL COUNSEL**

NEW ENGLAND CABLE & TELECOMMUNICATIONS ASSOCIATION

THURSDAY, MARCH 3, 2011

My name is Bill Durand and I am the Executive Vice President and Chief Legal Counsel for the New England Cable & Telecommunications Association, Inc., otherwise known as NECTA. NECTA represents Connecticut's cable companies which compete to provide advanced broadband, voice and video products and services to our state's business and residential consumers. NECTA respectfully submits this testimony in opposition to House Bill 6458: AAC Periodic Review of Video Providers.

This proposal would mandate that the Department of Public Utility Control (DPUC) biennially conduct a performance review of each entity holding a certificate of public convenience and necessity, a certificate of cable franchise authority or a certificate of video franchise authority to ensure compliance with the terms and conditions of each such certificate. This performance review would include, but not be limited to, issues concerning customer service, community access support and management of outages.

The Connecticut video marketplace is highly competitive, with residents able to choose from a wide range of different service providers, including cable operators, satellite providers and telephone companies. In order to retain existing customers and attract new ones, these video providers must work to deliver quality products and services each and every day.

In such a competitive environment, it makes little sense to statutorily mandate that the DPUC conduct a costly and burdensome regulatory proceeding to review the state's video service industry every two years. We believe that the DPUC already has the legal authority to conduct a generic or provider-specific performance review if it believes one is necessary. As the state's video regulatory agency, the DPUC is in the best position to evaluate whether circumstances warrant such a review. At a

moment in time when our state government is facing enormous fiscal challenges, now is not the right time for state government to take on new operational and staffing costs in order to implement unnecessary new regulatory review processes.

Finally, it should also be noted, that these ongoing proceedings would place an unnecessary financial burden on the video providers that would be the subject of the review— resources that would be much better invested in the infrastructure and personnel that continue to deliver advanced services to our state.

Conclusion:

While well intentioned, House Bill 6458 places an unnecessary burden on the DPUC, video providers, and ultimately would have a negative impact on the state's consumers. NECTA respectfully submits this testimony in opposition to this legislation.